

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DAVID E. MACK

Plaintiff,

v.

ACCOUNT DISCOVERY SYSTEMS, LLC

Defendant.

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Case No.: 16-cv-373

**DEFENDANT ACCOUNT DISCOVERY SYSTEMS, LLC’S BRIEF IN RESPONSE TO
PLAINTIFF’S MOTION FOR DISCOVERY CONFIDENTIALTY ORDER**

On August 23, 2016, the Plaintiff moved this Court for entry of a Discovery Confidentiality Order attached to the Plaintiff’s Motion as Exhibit 2. (Doc. 17). Defendant Account Discovery Systems, LLC (“ADS”) did stipulate to the proposed Discovery Confidentiality Order attached to the Plaintiff’s Motion as Exhibit 2 and has no objection to the Court’s entering of same.

Plaintiff’s allegations that ADS has been dilatory or unwilling to stipulate to the Discovery Confidentiality Order lacks merit. ADS provided the proposed Discovery Confidentiality Order (Exhibit 2) to the Plaintiff who agreed to its terms. Either party could have filed a motion ask the Court to enter the Order and because ADS did not file the motion with the Court on the date the Plaintiff wanted it to be filed is not supportive of Plaintiff’s conclusions that ADS has “steadfastly refused to cooperate in any timely manner.”

DATED: August 30, 2016

LIPPES MATHIAS WEXLER FRIEDMAN LLP

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